

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**UNITED STATES OF AMERICA**  
**Plaintiff,**

**v.**

**GEORGIANNA A.M. GIAMPIETRO**  
**Defendant.**

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**Case No.: 2:19-cr-00013**

**Chief Judge Waverly D. Crenshaw, Jr.**

**MOTION TO CONTINUE A HEARING**

The defendant, Georgianna Giampietro, by and through her undersigned attorney of record, hereby moves this Court to permit Ms. Giampietro to participate via video in the Status Conference Hearing, tentatively set for September 24, 2021, or in the alternative, that the substantive portion of the Status Hearing be rescheduled so that Ms. Giampietro may be present for this hearing.

Counsel was notified on September 15, 2021, by this Court that the Marshalls were not transporting individuals from the Daviess County Jail until at least October 4, 2021. Pursuant to the Court's notification, counsel consulted with Ms., Giampietro concerning the purpose of the hearing, and whether Ms. Giampietro would be willing to waive her presence. Ms. Giampietro indicated that she wished to be present for any substantive matters, including issues concerning the production of witnesses and their potential testimony (parties presently holding open September 24, 2021, from 1:00 – 5:00 for this hearing). However, Ms. Giampietro indicated that she is willing to waive her physical presence and participate by "Zoom" or other video means. Counsel has clarified that Ms. Giampietro is no longer in quarantine as such, is eligible for transfer within the Daviess County Jail to a hearing room for video conferencing.

Aside from substantive matters, Ms. Giampietro has indicated that she is willing to waive her presence for non-substantive matters, including determination of the trial schedule in her case.

Accordingly, counsel requests that Ms. Giampietro be permitted to attend the hearing on September 24, 2021, via video. In the event that video conferencing is not available, counsel requests that the substantive portions of the hearing on September 24, 2021, related to the production of a witness and the scope of questioning, be continued until such time as the defendant may be physically present.

In the event that the hearing for September 24, 2021, is continued to permit Ms. Giampietro's presence, Counsel requests that the Court, in the interim, set a trial date of 2/22/2022 - 3/4/2022,<sup>1</sup> and adopt the Joint Scheduling Order (Docket No. 279), previously submitted on September 14, 2021, without further hearings. Should the Court desire further input from counsel prior to establishing a trial date and scheduling order, counsel respectfully suggests that the scheduling matters may be addressed through a telephonic Status Hearing.

Defense has consulted with government counsel, and they have no objection to this Motion.

Respectfully submitted this 16<sup>th</sup> day of September, 2021.

By: /s/ Charles D. Swift  
Charles D. Swift,  
*Pro Hac Vice* Attorney for Giampietro  
100 N. Central Expy, Suite 1010  
Richardson, TX 75080

#### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 16<sup>th</sup> day of September, 2021, I electronically filed the foregoing Motion to Continue a Hearing with the Clerk of the Court using the CM/ECF system which will send a notice of electronic filing to all counsel of record.

By: /s/ Charles Swift  
Charles D. Swift  
*Pro Hac Vice* Attorney for Giampietro

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<sup>1</sup> Undersigned counsel conferred with Mr. Strianse, who confirmed his availability for these dates, and government counsel have likewise confirmed their availability.